

State of Washington
Department of Ecology
Yakima Washington

IN THE MATTER OF APPLICATION FOR CHANGE BY)
KATSUMI TAKI) Emergency Drought
REQUESTING A CHANGE IN THE PURPOSE OF USE) Change Authorization
AND PLACE OF USE OF WATER)
UNDER GROUND WATER CERTIFICATE NO. 2804-A)

In accordance with the provisions of RCW 43.83B.405, on March 14, 2001, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 176-166-060, the Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT CHANGE AUTHORIZATION. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

Background

Governor Gary Locke authorized the Director of the Department of Ecology to declare a statewide Drought Emergency on March 14, 2001. The Yakima Valley is experiencing severe drought impacts in this 2001 water year. The U.S. Bureau of Reclamation's (Reclamation) July 1 forecast of Total Water Supply Available (TWSA) predicts that the Yakima Project's pro-ratable water right holders are likely to receive only 36% of their full water supply amount this irrigation season.

On June 14, 2001, Roza Irrigation District (RID) filed a Motion before the Yakima County Superior Court requiring water right holders listed in Exhibit 1 of the Motion, to appear in Court on June 28, 2001 and Show Cause why they should not be regulated in favor of RID's senior water right. The Motion was amended to exempt indoor domestic use for human health and sanitation.

Katsumi Taki has a water right junior in priority to the RID. The proposal under this application transfer a portion of a ground water right not subject to the Show Cause Motion filed by RID, to his property.

Ground Water Certificate No. 2804-A, R. W. Dart

On August 16, 2001, Katsumi Taki filed an application to transfer a portion of a water right from a well on adjacent property to his existing point of diversion, for use on a portion of his property.

Mr. Dart holds a ground water right for the withdrawal of 150 gpm, 80 ac-ft/yr, for the irrigation of 20 acres from a well located in Government Lot 2 (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 34, T. 12 N., R. 19 E.W.M. Ten (10) acres of this property has recently had orchard removed and will not be irrigated the rest of the irrigation season. It is proposed that 75 gpm, 40 ac-ft/yr be transferred to Mr. Taki's property. It is recognized that the full 40 ac-ft/yr will not be used on the Taki property as it is late in the season and this is a full season duty for 10 acres.

The Dart well is located approximately 1000 feet from the Yakima River and a similar distance from the spring fed pond that Mr. Taki uses as his source of water. At the time the water right was issued, the well was a dug well, 48 inches in diameter and 20 feet deep.

Mr. Taki owns property in Government Lots 3 and 4 (adjacent to Mr. Dart's property) with water rights from unnamed springs and pond on Government Lot 3, Section 34, T. 12 N., R. 19 E.W.M. The Court has confirmed water rights in the amount of 0.38 cfs, 76 ac-ft/yr for the irrigation of 19 acres.

Mr. Taki intends to continue using his existing diversion out of the pond as it will have no more or less effect on the Yakima River than withdrawing the water from the shallow well.

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Conclusions and Decision

The proposed change of point of diversion and place of use will not impair existing water rights and is not contrary to the public interest.

This **DROUGHT EMERGENCY CHANGE DECISION** authorizes 75 gpm, 40 ac-ft/yr for the irrigation of 10 acres for the remainder of this irrigation season.

APPROVED BY:  DATE: 08/28/01
Derek I. Sandison, Acting Section Manager

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